

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

Asheville Division

Case No.

1:19 cv 137

(to be filled in by the Clerk's Office)

Julius Lamart Hodges

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v- see attachment

Hendersonville city Police department
Henderson county Sheriff's department
Henderson county public defenders office

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Julius Lamart Hodges

- v -

Andy Massey

Kenny McGraw

Steve Green

Dennis D. Maxwell

Z. Childress

M. Hoylew

R. Martin

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Julius Lamart Hodges

All other names by which
you have been known:

ID Number

1811008

Current Institution

Henderson County Detention Center

Address

375 First Avenue EastHendersonvilleNC28792

City

State

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed. see attach

Defendant No. 1

Name

Andy MasseyJob or Title (*if known*)

Shield Number

Employer

Hendersonville Police Department

Address

HendersonvilleNC28792

City

State

Zip Code



Individual capacity



Official capacity

Defendant No. 2

Name

Kenny McGrawJob or Title (*if known*)

Shield Number

Employer

Henderson County Sheriff's Department

Address

375 First Avenue EastHendersonvilleNC28792

City

State

Zip Code



Individual capacity



Official capacity

Defendant No. 3

Name

Steve Green

Job or Title (if known)

Shield Number

Employer

Henderson County Sheriffs Department

Address

375 First Avenue East

Hendersonville

N.C.

28792

City

State

Zip Code



Individual capacity



Official capacity

Defendant No. 4

Name

Dennis D. Maxwell

Job or Title (if known)

Public Defender

Shield Number

Employer

State of North Carolina office of Public Defender

Address

200 N. Groove St, suite 93

Hendersonville

NC

28792

City

State

Zip Code



Individual capacity



Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

1st Amendment; Free exercise of religion

6th Amendment; right to speedy trial, to confront witness

8th excessive bail shall not be required, nor cruel and unusual punishment inflicted (PREA) 14th amendment deprived due process

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

Defendant No 5

Name Z. Childress

Job or Title

Shield Number

Employer Hendersonville Police Department

Address

Hendersonville NC 28792

☒ individual capacity ☒ official capacity

Defendant No 6

Name M. Hoylew

Job or Title

Shield Number

Employer Hendersonville Police Department

Address

Hendersonville NC 28792

☒ individual capacity ☒ official capacity

Defendant No 7

Name R. Martin

Job or Title

Shield Number

Employer Hendersonville Police Department

Address

Hendersonville NC 28792

☒ individual capacity ☒ official capacity

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

See attachment

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- ☒ Pretrial detainee
☐ Civilly committed detainee
☐ Immigration detainee
☐ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner
☐ Other (*explain*)

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

See attachment

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

see attachment

II. Basis for Jurisdiction

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- D. 1. Officer Andy Massey responded to my initial call to the police and took me to an unoccupied sub station that was dark inside with no other vehicles present, which should have not be procedure due to the fact he ran my information and I had no warrants.
2. After fleeing from Officer Andy Massey I surrendered in the presence of Officers Z. Childress, M. Hoylew, R. Martin, as well as A. Massey of Hendersonville city police department (were on active duty) were they all used excessive force after I was already handcuffed.
3. When I was being processed in Henderson County Detention C.O's Steve Green; and Kenny McGraw were on duty when they drug me through the lobby naked and denied me phone calls.
4. After being booked in no officer informed me they served pork in this facility. Then several greivances went ignored for weeks even months while in custody at Henderson County Detention.
5. Dennis Maxwell is employed by Henderson County Public Defenders office when he violated my due process, and right to speedy trail rights when he refused to get me a bond reduction; or a probable cause hearing still as of now.

IV. Statement of Claim

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A. On 11/2/2018 Officer Massey responded to my call.

1. On 11/2/2018 I called Hendersonville city police from the Denny's on Four Seasons. Stating I had got into an altercation with fellow co-workers and was out of town working and needed a ride to the bus station to get back home. Officer Andy Massey responded; ran my information and seen I had "no" outstanding warrants. So he took me to a substation where no lights were on, or no police cars were present and made sexual innuendo's towards me causing me to ask him to take me back to Denny's, him refusing leading me to flee from him due to his actions.

2. After running from Ofc. Massey and being in fear of my life I surrendered in the presence of Officers A. Massey, Z. Childress, M. Hoylew, and R. Martin handcuffed me. While in handcuffs putting a knee in the back of my head, (while I cried out and screamed I couldn't breathe) pulling down my pants and inserting foreign objects inside me, as well as tasing me until I lost conscience. After I woke up in the back seat of Officer Massey's unit I had urinated and defecated on myself and in the backseat I started screaming and he pulled over and beat me and tased me asleep again.

B.

1. On 11/2/2018 being woken up in a holding cell on my face in handcuffs I was stripped naked, kicked, beaten and tased again. So I was left in the room for approx. 1 hr, urinating and defecating on myself again unable to walk due to my equilibrium being off from being tased. I was dragged through the halls and lobby while completely naked by Henderson county employees Steve Green, and Kenny McGraw. And forced to shower while they watched me. After this officer A. Massey forced me to give my blood & DNA (which should be suppressed due to his firing from force; as well as cohearsing me) to EMT's but refusing me medical attention. Stating no nurse was on

IV. Statement Claim' (cont'd)

duty. So then I was refused phone calls myself only to have officer Green of Henderson county detention to call my mom (Patricia Hodges) and my aunt (Georgia Bouie) for me. They told them they "washed" my clothes then. My first appearance 11/3/2018 I stated in court room they refused me calls, and the judge told them to allow me calls. Which the CO's still tried to deny me by intimidation; surrounding and threatening me, until Sgt. Blackwell allowed me 2 calls after almost 24 hrs of my arrest.

2. Approximately around 11/4/2018 I was served a sausage biscuit breakfast tray and immediately knew it was pork. Never did any one ever inform that this facility serves pork. So when I asked the CO on duty about the process of getting a no pork/Kolsher diet; I was mocked for being a "muslim" (I am not a muslim, I practice the Hebrew faith and have followed the Leviticus 11 dietary law). So I then wrote medical/chaplin for a Kolsher diet. And it took about 2 1/2 weeks to be put on a no pork diet. So when the chaplin Mr. Honeycutt delivered me a Catholic Bible (similar to Jerusalem edition I study) I inquired about a Kolsher diet because no pork isn't feasible because of yeast as well and eating out of trays that had pork in them. Chaplin Honeycutt informed me this facility would never approve or "Acknowledge" a Kolsher diet.

3. 11/7/2018, 11/9/2018 I wrote an grievance on a busted blood vessel in my eye, a severally swollen knee, and swollen right side of my face, and as of then I still haven't received any medical attention. So I was seen by a nurse and gave me visine and anti-biotic for a "boil" on my face (It was swollen from beating). Then I informed a nurse by the name of Libby that I wanted to file a PREA against the officer who processed me in and stripped me naked, drug me through the lobby naked, and watched me shower. She then told me

IV. Statement Claim (cont'd)

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me a PREA officer would come speak to me. So on 11/10/2018, 11/13/2018 I wrote other grievances complaining of my swollen knee and it being difficult for me to walk, and I needed X-rays. Warren Bradley replied he would forward my concerns to medical but I never seen them from this grievance which records should confirm. Around this time I had requested to speak to mental health about my mental state due to the trauma I'd experience. This is when I also notified Mrs. Sally from family preservation of the misconduct of my arresting officers as well as PREA of intake officers. And she said she'd have a PREA officer speak with me. Still to this day I haven't spoken with any PREA officer.

4. 1/31/2019 I wrote a request to notarized a letter I wanted to send to The State Bar to complain about my public defender Dennis Maxwell. So a Mrs. Ashleigh Thomas told me she'd get to me when she could. So after waiting almost a month, and writing a grievance 2/28/2019 I finally got the notary. So 3/5/2019 I put in a grievance for requesting 3 different request from the Law Library that never came however I'd had the tracking number (Henn-19-0205080623), that Mrs. Thomas says she never received. So my request went ignored until 3/14/2019; which is when I informed them I had a tracking number. So then it was ignored again until 3/19/2019, were Sgt. Helton and Mrs. Thomas said it would be taken care of I received my packet finally 3/22/2019 already opened with out me being present with a tracking # last digits 0001. Which is well past 3-5 business days its suppose to take. When I receive this paper work it has how to file a motion to suppress in the state of Georgia, not North Carolina. I still have a copy of all of this for evidence. Lastly they're requiring me to leave open all mail not legal so they can read it that I'm sending to my family. Which my family says it takes them 2-3

weeks to receive my letters. And it takes 1½ to 2 weeks receive letters from my brother which he sends priority/next day.

5. My last claim concerns my public defender Dennis Maxwell. When I first met Mr. Maxwell I informed him of all the accusations I'm claiming now. He noticed I had scars all over my body and my eye was blood red inside my pupil, which he told my daughters mother right after our visit. I then asked him for a speedy trial and a bond reduction. Which he told me and and Ms. Lisa Epps my daughters mother he didn't think I'd get it; basically conceding without trying. So after having my Nov. 21, 2018, Dec. 11, 2018, and Dec. 13, 2018, I emailed him right before my Jan. 22, 2019 date from the jail Kiosk that I wanted my probable cause hearing asap as well as a bond reduction. All these attempts to contact him went unanswered. As well as my family's attempts to contact him. So right before my Feb. 12, 2019 court date I found out my arresting officer Andy Massey was arrested and resigned from the police force. So when I asked him to file a motion to dismiss or suppress the original report by officer Massey. Mr. Maxwell never did and then when my next court date came around March 5, 2019 thats when my family looked online and I had Officers M. Hoylew, R. Martin, and Z. Childress on my case, who was not previously on it. So when I made Mr. Maxwell aware of this he told me its normal for several officers to write reports, as well as continuing my court once again until April. 9, 2019. So as of today I've still haven't had my probable cause hearing which is suppose to happen within 15 business days.

- C. What date and approximate time did the events giving rise to your claim(s) occur?
11/2/2018, (other dates in IV. Statement claims A-B)

- D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?) I was beaten, tased multiple times, dragged naked through jail lobby, and watched showering. And sexually assaulted. Every officer that I've named seen what happen. The nurse later seen my scars, as well as Mr. Maxwell

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive. Busted blood vessel in left eye, swollen knot on right eye, several cuts, scars on my face, arms and back. My left big toe nail fell off as well. Lastly sever swelling on my right knee, and extreme soreness of my entire body. PTSD / Depression / Nightmares

I was given visine by nurse 11/10/2018, but all other medical treatment was ignored

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims. Dismissal of all charges; Reinstatement of lost wages due to my lost of job. Prospective / Retrospective relief due to Procedural due process violations. The maximum allotted monetary Payout from each department due to pain, suffering, humiliation and seperation from my two daughters. Reasonable attorney fees.

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Henderson county Detention

- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)? PREA, Religious claims, and medical exams, and my law mail not coming in.

Food Service Inquiry

For 1811008: JULIUS HODGES HD204 on 11/6/2018 11:05:54 AM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 13008917

Last Assigned to: None on 11/6/2018 3:28:16 PM

Last Status: Responded by Andra Carpenter on 11/6/2018 3:28:16 PM

I do not eat pork due to religious reasons, so i would like to be placed on a special diet asap.
Thank you very much

Submitted by 1811008: JULIUS HODGES HD204 on 11/6/2018 11:05:54 AM

You will need to talk to the chaplain about this please. I cannot just change your diet without request from him

Responded by Andra Carpenter on 11/6/2018 3:28:16 PM

Chaplain Inquiry

For 1811008: JULIUS HODGES HD204 on 11/6/2018 8:43:34 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 13018281

Last Status: Closed by 1811008: JULIUS HODGES on 11/7/2018 1:12:00 PM

Last Assigned to: None on 11/7/2018 9:53:45 AM

Hello Im letting you know that i follow the hebrew/jewish faith. I obey all Lev 11, dietary laws, and do not eat pork. And would like a kolsher diet. This has been documented in every facility ive been. thank you

Submitted by 1811008: JULIUS HODGES HD204 on 11/6/2018 8:43:34 PM

I will let them know.

Final Response by Keith Honeycutt on 11/7/2018 9:53:45 AM

Lockback Appeals Grievance

For 1811008: JULIUS HODGES HD204 on 11/7/2018 1:51:06 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 13026046

Last Assigned to: None on 11/9/2018 11:01:54 AM

Last Status: Responded by Warren Bradley on 11/9/2018 11:01:54 AM

i arrived here last week with some injuries and never recieved proper medical attention... i can barely walk straight and have a busted blood vessel in my left eye, as well as swollen on right eye. I dont think i should be charged because i came here with these injuries and never properly examined. I also requested a mental health evaluation due to the circumstances i faced.

Submitted by 1811008: JULIUS HODGES HD204 on 11/7/2018 1:51:06 PM

I will send your grievance to medical

Responded by Warren Bradley on 11/9/2018 11:01:54 AM

Lockback Appeals Grievance

For 1811008: JULIUS HODGES HD204 on 11/10/2018 8:08:59 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 13069085

Last Assigned to: None on 11/13/2018 11:35:27 AM

Last Status: Responded by Warren Bradley on 11/13/2018 11:35:27 AM

My knee is very sore and swollen ive informed medical i might need a ace wrap or xray due to swelling still being swollen. Thank you

Submitted by 1811008: JULIUS HODGES HD204 on 11/10/2018 8:08:59 PM

I will send your request to medical.

Responded by Warren Bradley on 11/13/2018 11:35:27 AM

- only visine

General Inquiry

For 1811008: JULIUS HODGES HD204 on 11/13/2018 1:26:54 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 13097009

Last Status: Closed by 1811008: JULIUS HODGES on 11/13/2018 4:01:50 PM

Last Assigned to: None on 11/13/2018 1:33:43 PM

I have been trying to contact my lawyer Mr. Maxwell but can't get through to the public defenders office. I just want him to put in a motion for a bond reduction or a speedy showcause motion. Thank you

Submitted by 1811008: JULIUS HODGES HD204 on 11/13/2018 1:26:54 PM

200 N GROVE ST HENDERSONVILLE NC 28792 YOU WILL HAVE TO WRITE TO HIM WE DONT DO THIS

Final Response by Linda McG on 11/13/2018 1:33:43 PM

Lockback Appeals Grievance

For 1811008: JULIUS HODGES HD204 on 12/6/2018 11:31:57 AM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 13371987

Last Status: Closed by 1811008: JULIUS HODGES on 4/5/2019 11:07:01 AM

Last Assigned to: None on 12/7/2018 11:27:07 AM

I seen the mental health therapist 4 weeks ago. He started me on buspar 10mg, and said ill have a follow up 2 weeks later. However, its been 4 weeks and I've haven't heard anything.

Submitted by 1811008: JULIUS HODGES HD204 on 12/6/2018 11:31:57 AM

I will send your grievance to medical

Responded by Warren Bradley on 12/7/2018 11:27:07 AM

Mental Health

For 1811008: JULIUS HODGES HD204 on 12/19/2018 1:40:20 PM

Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 13527423

Last Status: Closed by 1811008: JULIUS HODGES on 12/19/2018 2:55:57 PM

Last Assigned to: None on 12/19/2018 2:35:56 PM

Accept The Terms

I had a mental evaluation about a month and a half ago. I was put on buspar for anxiety, and told I would be give a follow up in two weeks, for depression. I need to talk to a counselor about on going depression thats been increasing the past couple weeks.

Submitted by 1811008: JULIUS HODGES HD204 on 12/19/2018 1:40:21 PM

OK - You will be seen for a follow-up.

Responded & Closed by Transform Health on 12/19/2018 2:35:56 PM

Mental Health

For 1811008: JULIUS HODGES HD204 on 1/2/2019 3:06:45 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 13673192

Last Status: Closed by 1811008: JULIUS HODGES on 1/3/2019 9:44:31 AM

Last Assigned to: None on 1/3/2019 9:30:53 AM

Accept The Terms

Attention Mrs. Sally,

I'd like to request to speak to you about following up on the medication ive been taking for the past 2 months and the side effects ive been having. Also about possible mental health assistance options available after my release. And lastly my lawyer told me he was going to get me an evaluation, however i informed him that i already seen the doctor here and been placed on buspar. Thank you very much.

Submitted by 1811008: JULIUS HODGES HD204 on 1/2/2019 3:06:45 PM

I will be glad to speak with you about mental health options once you are released. I will put you on the schedule to be seen by the medical provider for a follow up.

Responded & Closed by Transform Health on 1/3/2019 9:30:53 AM

General Inquiry

For 1811008: JULIUS HODGES HD204 on 1/10/2019 10:34:42 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 13775566

Last Status: Closed by 1811008: JULIUS HODGES on 1/11/2019 9:17:21 AM

Last Assigned to: None on 1/11/2019 6:51:28 AM

I had a hewbrew dictionary delivered yesterday, I asked about it today and was told it was rejected. This is a bible dictionary only to be used for bible studying, which also coincides with my religious believes and practices. The only books I had sent in are biblical books and this is very important to me to continue in my walk of faith. Thank you

Submitted by 1811008: JULIUS HODGES HD204 on 1/10/2019 10:34:42 PM

Mr. Hodges,

This book has not been rejected. I did not get a chance to bring it back to you.

Final Response by Brian Helton on 1/11/2019 6:51:28 AM

Medical Request

For 1811008: JULIUS HODGES HD204 on 2/20/2019 8:19:15 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 14276033

Last Status: Closed by 1811008: JULIUS HODGES on 2/22/2019 8:38:30 AM

Last Assigned to: None on 2/21/2019 1:44:16 PM

Accept The Terms

I had a psychologic evaluation on Monday, and I was told by Dr. Ashley King, to ask medical to put me on something stronger to balance my mode

Submitted by 1811008: JULIUS HODGES HD204 on 2/20/2019 8:19:15 PM

The provider will be notified of this request.

Medical

Responded & Closed by Transform Health on 2/21/2019 1:44:16 PM

No - follow up

General Inquiry

For 1811008: JULIUS HODGES HD204 on 1/31/2019 9:18:34 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 14030770

Last Assigned to: None on 2/28/2019 9:09:55 AM

Last Status: Responded by Ashleigh Thomas on 2/28/2019 9:09:55 AM

I need to know how I go about getting a letter notarized

Submitted by 1811008: JULIUS HODGES HD204 on 1/31/2019 9:18:34 PM

I will do it as soon as I can

Responded by Ashleigh Thomas on 2/4/2019 8:47:13 AM

I requested to have a letter notarized January 31, 2019 and was told I would get to as soon as possible. And this was almost a month ago, the reason i requested it is to send off legal work before my next court date. Thank you very much

Replied by 1811008: JULIUS HODGES HD204 on 2/27/2019 10:16:31 PM

I apologize I forgot - I will get back there this morning

Responded by Ashleigh Thomas on 2/28/2019 9:09:55 AM

Lockback Appeals Grievance

For 1811008: JULIUS HODGES HD204 on 2/27/2019 10:23:15 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 14364126

Last Status: Closed by 1811008: JULIUS HODGES on 4/7/2019 8:10:26 PM

Last Assigned to: None on 3/1/2019 8:49:37 AM

I asked to get a letter notarized January 31, 2019 and still haven't had a chance to get it done. I was trying to send legal mail out before my courtdate.

Submitted by 1811008: JULIUS HODGES HD204 on 2/27/2019 10:23:15 PM

Miss Ashleigh has taken care of this.
Thanks,

Responded by Brian Helton on 3/1/2019 8:49:37 AM

Lockback Appeals Grievance

For 1811008: JULIUS HODGES HD204 on 3/5/2019 3:13:12 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 14431073

Last Assigned to: None on 3/19/2019 8:59:52 AM

Last Status: Responded by Ashleigh Thomas on 3/19/2019 8:59:52 AM

I requested for legal information over almost two weeks ago for a copy of the constitution of the united states, as well as how to file motions for suppression of police report and motion of discovery and I still haven't received them. I do have the tracking number as well if you need it, to search the tracking number, thank you.

Submitted by 1811008: JULIUS HODGES HD204 on 3/5/2019 3:13:12 PM

Mr. Hodges,
Have you gotten your paperwork yet?

Responded by Brian Helton on 3/14/2019 12:53:49 PM

No sir I have not received any of my paper work. This was the third packet I requested, the tracking number is Hennc-19-0306030853. Thank you very much

Replied by 1811008: JULIUS HODGES HD204 on 3/14/2019 8:24:03 PM

I have reached out to the company to see what is going on

Responded by Ashleigh Thomas on 3/19/2019 8:59:52 AM

Medical Request

For 1811008: JULIUS HODGES HD204 on 3/12/2019 8:53:52 AM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 14511436

Last Status: Closed by 1811008: JULIUS HODGES on 3/12/2019 10:08:07 AM

Last Assigned to: None on 3/12/2019 9:02:38 AM

Accept The Terms

I have a rash on my shoulders and chest that itches very bad and i told the nurse this morning and she told me put in for hydrocodecone cream and i wouldn't be charged 20 dollars for cream.
Thank you

Submitted by 1811008: JULIUS HODGES HD204 on 3/12/2019 8:53:53 AM

noted

Responded & Closed by Transform Health on 3/12/2019 9:02:38 AM

Lockback Appeals Grievance

For 1811008: JULIUS HODGES HD204 on 4/7/2019 8:24:23 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 14845613

Last Assigned to: Lockback Appeals on 4/7/2019 8:24:23 PM

Last Status: Submitted by 1811008: JULIUS HODGES on 4/7/2019 8:24:23 PM

Dear Sgt. Helton,

I would like to speak to you about the racial bias I feel goes on in this facility with some staff workers. I have witnessed several examples of it in the last few months I've been here. For instance regarding sporting events if we ask to watch basketball a lot of CO's give us the run around or plainly dont turn it there until half way through or almost over. Yesterday we were asked "does everyone want to watch basketball", which everone had already agreed to due to it being NCAA tournament. However since the start of Nascar we watch the pre race as well as the post race every Sunday, without even asking for a channel change. Now lastly I have received several clothing items with swastika's drawn on them, which I feel is very offensive and should be immediately disgarded. And having to walk by cells and see these symbols on the walls and floors. Now I was asked long ago to wash off walls of my cell that had flowers drawn on it prior to me being housed, and i have witnessed the same CO who asked me to walk by these symbols and not say a word. Thank you.

Submitted by 1811008: JULIUS HODGES HD204 on 4/7/2019 8:24:23 PM

General Inquiry

For 1811008: JULIUS HODGES HD204 on 4/8/2019 3:59:26 PM
Dates and Times are presented in Eastern Time (US & Canada)

Issue ID: 14855936

Last Assigned to: None on 4/9/2019 10:51:15 AM

Last Status: Responded by Ashleigh Thomas on 4/9/2019 10:51:15 AM

Dear Mrs. Ashleigh,

I was wondering when can I expect a printout of my inquiries to medical, general , chaplin, and my grievances active and closed; as well as my balances, and expenditures? I'm asking because I really need to send very important legal information I been trying to send for a week now. Thank you.

Submitted by 1811008: JULIUS HODGES HD204 on 4/8/2019 3:59:26 PM

i will finish getting it printed today

Responded by Ashleigh Thomas on 4/9/2019 10:51:15 AM

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

On the jail kiosk

2. What did you claim in your grievance?

Copies of grievances and inquiries are attached

3. What was the result, if any?

Some were handled, but in very untimely manners, depriving me of due process and my liberties. My PREA claims went ignored as well as the excessive force and sexual misconduct of my arresting officers

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

Being in this facility I have been very scared to push too many buttons, due to the treatment I received upon my arrival. And no response to my PREA accusations and lack of medical treatment

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: **I informed several nurses, mental health, and doctor of PREA by staff. And I feared I would be mistreated due to my prior experiences.**
2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any: **Nurse by the name of Libby, mental health counselor Mrs. Sally in November. They both said a PREA officer would come speak to me. I told my lawyer Dennis Maxwell he told me its nothing he could do. I told Dr. Ashley King in February when I had a pysch evaluation. See just wrote it down.**

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. **After treatment and abuse of officers I've been intimidated and in fear to really go too far in this facility. For instance when I ask for toilet paper more than 1 roll a week, I'm ignored or told to use my hand. (see attachments)**

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) N/A

Defendant(s) N/A

2. Court *(if federal court, name the district; if state court, name the county and State)*

N/A

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

N/A

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☐ Yes

☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s)

N/A

Defendant(s)

N/A

2. Court *(if federal court, name the district; if state court, name the county and State)*

N/A

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

N/A

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

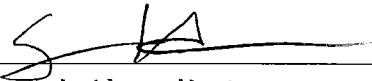
Date of signing: April 4, 2019

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address


Julius Hodges
1811008
375 First Avenue East
Hendersonville NC 28792
City State Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City State Zip Code

Telephone Number

E-mail Address

